

Doc# 20090018358

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

11316 LINDENWOOD  
EL PASO, TX 79936

**SPECIAL WARRANTY DEED WITH VENDOR'S LIEN**  
(Vendor's Lien Reserved and Assigned to Third Party Lender)

STATE OF Texas  
COUNTY OF El Paso

THAT THE UNDERSIGNED, UNITED STATES OF AMERICA, hereinafter called "Grantor", whether one or more, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration to the undersigned in hand paid by the Grantee herein named, the receipt of which is hereby acknowledged, and the further consideration of the execution and delivery by the Grantee of that one certain promissory note ~~of even date~~ herewith in the principal sum of \$ 252,700.00, payable to the order of GECU as therein specified, providing for acceleration of maturity and for attorney's fees, the payment of which note is secured by the vendor's lien herein retained, and is additionally secured by a deed of trust ~~of even date~~ herewith to Steve Anderson, TRUSTEE, has GRANTED, SOLD AND CONVEYED and by these presents does GRANT, SELL AND CONVEY unto ARMANDO ARMENDARIZ and YVETTE G ARMENDARIZ, 11316 LINDENWOOD, EL PASO, TX 79936, herein referred to as the "Grantee", whether one or more, the real property described as follows, to-wit:

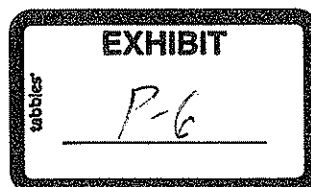
**LOT 5, BLOCK 9, KIMBERLY HEIGHTS SUBDIVISION, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF ON FILE IN BOOK 12, PAGE 55, PLAT RECORDS OF EL PASO COUNTY, TEXAS.**

This conveyance, however, is made and accepted subject to any and all restrictions, encumbrances, easements, covenants and conditions, if any, relating to the hereinabove described property as the same are filed for record in the County Clerk's Office of El Paso County, Texas.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Grantee, Grantee's heirs, executors, administrators, successors and/or assigns forever; and Grantor does hereby bind Grantor, Grantor's heirs, executors, administrators, successors and/or assigns to WARRANT AND FOREVER DEFEND all singular the said premises unto the said Grantee, Grantee's heirs, executors, administrators, successors and/or assigns, against every person whomsoever claiming or to claim the same or any part thereof, by, through, or under Grantor, but not otherwise.

But it is expressly agreed that the Vendor's Lien, as well as Superior Title in and to the above described premises, is retained against the above described property, premises, and improvements until the above described note and all interest thereon are fully paid according to the face, tenor, effect and reading thereof, when this Deed shall become absolute. GECU, ("Lender"), at the instance and request of the Grantee herein, having advanced and paid in cash to the Grantor herein that portion of the purchase price of the herein described property as is evidenced by the hereinabove described Note, the Vendor's Lien, together with the Superior Title to said property, is retained herein for the benefit of said Lender and the same are hereby TRANSFERRED AND ASSIGNED to said Lender, its successors and assigns. Grantor covenants to specially warrant the title to the Property hereby conveyed against any claim or action arising from the case styled "UNITED STATES OF AMERICA v. REAL PROPERTY LOCATED AT 11316 LINDENWOOD, EL PASO, TEXAS, WITH ALL BUILDINGS, APPURTENANCES, AND IMPROVEMENTS THEREON," Case No. EP-07-CV-187-KC, in the United States District Court Western District of Texas, El Paso Division, the Order, dated July 16, 2008, having been recorded as Document #20080074120 in the Official Public Records of El Paso County, Texas and such property being the same property conveyed to Grantor by virtue of that certain Order described herein.

TX-SWDVL/US Marshall



TX-086929  
11316 LINDENWOOD  
EL PASO, TX 79936

EXECUTED this 8<sup>th</sup> day of January, 2009.

UNITED STATES OF AMERICA

By : Brett Thomas  
Title: Brett Thomas, Supervisory Deputy U.S. Marshal

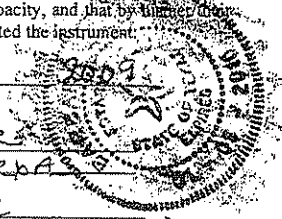
STATE OF TEXAS  
COUNTY OF Harris

BEFORE ME, the undersigned Notary Public, on this day personally appeared Brett Thomas esq., of UNITED STATES OF AMERICA, personally known to me (or proved to me on the oath of \_\_\_\_\_, or through official identification described as \_\_\_\_\_) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by signing their signature on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

Given under my hand and seal of office this 8<sup>th</sup> day of January, 2009.

My Commission Expires:  
01-09-010

Barbara Lowe  
Notary Public for the State of Texas  
Barbara Lowe  
Printed Name of Notary Public



RETURN TO:  
ARMANDO & YVETTE G ARMENDARIZ  
11316 LINDENWOOD  
EL PASO, TX 79936

PREPARED BY:  
Barrett Daffin Frappier Turner and Engel, L.L.P.  
15000 Surveyor Blvd., Suite 100  
Addison, TX 75001

PLACE OF CLOSING:  
FIRST FIDELITY TITLE  
17480 NO DALLAS PKWY, SUITE 121  
Dallas, TX 75287

Doc# 20090018358  
#pages 2 #NFpages 1  
3/19/2009 9:41:10 AM  
Filed & Recorded in  
Official Records of  
El Paso County  
Della Briones  
County Clerk  
Fees \$20.00

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded by document number in the Official Public Records of Real Property in El Paso County.



EL PASO COUNTY, TEXAS

*Della Briones*